

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
07-CR-168

TAMARIO HUNLEY,

Defendants.

This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1). On February 29, 2008, defendant Tamario Hunley filed a motion to suppress. On February 26, 2010, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendant's motion to suppress be denied. Defendant filed objections to the Report and Recommendation and the government filed a response thereto. Oral argument on the objections was held on May 20, 2010.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions and hearing argument from the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant's motion to suppress is denied. The

parties shall appear in Court on Friday, June 18, 2010 at 10:00 a.m. for a meeting to set a trial date.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: June 17, 2010